

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

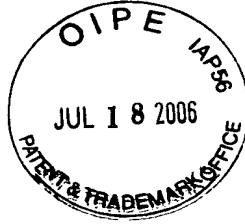
In re the Application of

Karine MARION

Application No.: 10/695,823

Filed: October 30, 2003

For: METHOD OF REMOVING A BIOFILM



Group Art Unit: 1651

Examiner: D. WARE

Docket No.: 114120

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In reply to the May 18, 2006 Restriction Requirement, Applicant provisionally elects Group I, claims 1-10, with traverse.

Groups I (method), II (kit for use in the method), and III (composition for use in the method) should remain in a single application because of their identical purpose, i.e., removing a biofilm, and because of the presence of at least two essential components, i.e., a specific enzyme mixture and a detergent.

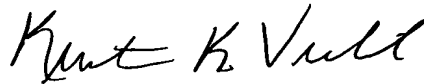
With regard to Groups II and III, the Examiner stated that the invention of Group II is capable of dissolving salt deposits due to the presence of an acid, whereas the invention of Group III is not so capable. However, the referenced acid is a supplemental component and is not required in kit claims 11-18. Moreover, the composition of Group II does not exclude the presence of an acid, and thus is capable of dissolving salt deposits.

It is also respectfully submitted that the subject matter of all claims 1-22 is sufficiently related that a thorough search for the subject matter of one group would encompass a search

for the subject matter of the remaining groups. Thus, the search and examination of the entire application could be made without serious burden. *See* MPEP § 803 (stating that, "if the search and examination of an entire application can be made without serious burden, the examiner must examine it on the merits, even though it includes claims to independent or distinct inventions." (emphasis added)). It is respectfully submitted that this policy should apply in the present application to avoid unnecessary delay and expense to Applicant and duplicative examination by the Patent Office.

In view of the foregoing, reconsideration and withdrawal of the Restriction Requirement are respectfully requested.

Respectfully submitted,



William P. Berridge
Registration No. 30,024

Kristin K. Vidovich
Registration No. 41,448

WPB:KKV/tje

Date: July 18, 2006

OLIFF & BERRIDGE, PLC
P.O. Box 19928
Alexandria, Virginia 22320
Telephone: (703) 836-6400

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